

## **REMARKS**

Applicants respectfully request consideration of the following remarks in response to the Office Action mailed January 7, 2009. Applicants respectfully submit that the remarks contained herein place the instant application in condition for allowance.

Upon entry of this response, claims 1 – 18 and 24 are pending. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

### **I. Rejections Under 35 U.S.C. §103(a) – Brown, Barlow, and Wagner**

#### **A. Claim 1 is Allowable Over Brown in view of Barlow further in view of Wagner**

The Office Action indicates that claim 1 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Number 6,278,448 (“Brown”) in view of U.S. Patent Number 6,275,935 (“Barlow”), further in view of U.S. Patent Number 6,085,224 (“Wagner”). Applicants respectfully traverse this rejection for at least the reason that *Brown* in view of *Barlow* further in view of *Wagner* fails to disclose, teach, or suggest all of the elements of claim 1. More specifically, claim 1 recites:

A method for preventing data entry via a data input screen on a client device, comprising:  
rendering source code that defines the data input screen in the client device;  
defining an executable script within the source code; and  
executing the executable script in response to user input, wherein the executable script operates within the client device to render the data input screen inaccessible **during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible;**  
wherein executing further comprises:  
associating the executable script with a predetermined z-index number for a web page; and  
rendering inaccessible those data entry elements associated with the web page that have a z-index number lower than the predetermined z-index number.

**(Emphasis added).**

Applicants respectfully submit that claim 1 is allowable for at least the reason that none of *Brown*, *Barlow*, and *Wagner*, taken alone or in combination, discloses, teaches, or suggests a "method for preventing data entry via a data input screen on a client device... wherein the executable script operates within the client device to render the data input screen inaccessible **during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible**" as recited in claim 1. More specifically, the Office Action admits that "Brown fails to specifically disclose rendering the data input screen inaccessible to prevent user input" (OA page 2, line 23).

Additionally, neither *Barlow* nor *Wagner* overcomes the deficiencies of *Brown*. More specifically, on page 3, line 1, the Office Action cites to *Barlow* (column 1, line 66 – column 2, line 10) to reject this claim element. Then, on page 10, line 20, the Office Action argues that *Wagner* discloses this claim element. First, Applicants submit that this discrepancy renders this rejection unclear and thus in violation with 37 C.F.R. 1.104(b) and MPEP 707, which state that "[t]he examiner's action will be complete as to all matters." Consequently, any subsequent Office Action, if necessary, must be non-final.

Second, if the Office Action intends to reject claim 1 under *Barlow*, Applicants addressed this rejection in the Amendment filed November 10, 2008 and refresh the argument presented for at least the reason that *Barlow* discloses a locking mechanism to permanently lock end users from modifying a software application, which is clearly different than claim 1. Third, if the Office Action intends to reject claim 1 under *Wagner*, Applicant traverses this rejection for at least the reason that *Wagner* discloses a "seventh digit in the map data determines whether a FORM 'submit' script command will be provided to the application program... the digit value of one causes the scanner to disable the FORM 'submit' command so it may be displayed for the user by the application program without execution" (column 13, line 13), which is completely different than claim 1. While the Office Action broadly argues that column 14, line 43 – column

16, line 47 (covering a full page of text) discloses a “method for preventing data entry via a data input screen on a client device... wherein the executable script operates within the client device to render the data input screen inaccessible **during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible,**” nowhere in this passage does *Wagner* even suggest anything that resembles this portion of claim 1.

In fact, Applicants can only assume that by citing such a large passage that has no relevancy to the claim, the Office Action is in error regarding the relevant passages, providing yet another reason that any subsequent Office Action be non-final. However, even when referring to the most applicable portions of *Wagner*, there is no suggestion of a “method for preventing data entry via a data input screen on a client device... wherein the executable script operates within the client device to render the data input screen inaccessible **during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible,**” for at least the reason that simply disabling a form submit command is different than “render[ing] the data input screen inaccessible **during processing of the user input to prevent duplicative execution of the executable script from subsequent user input, wherein upon completion of processing of the user input, the executable script renders the data input screen accessible**” as recited in claim 1. For at least these reasons, claim 1 is allowable.

B. **Claim 5 is Allowable Over Brown in view of Barlow further in view of Wagner**

The Office Action indicates that claim 5 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Number 6,278,448 (“Brown”) in view of U.S. Patent Number 6,275,935 (“Barlow”), further in view of U.S. Patent Number 6,085,224 (“Wagner”). Applicants respectfully traverse this rejection for at least the reason that Brown in view of Barlow further in view of Wagner fails to disclose, teach, or suggest all of the elements of claim 5. More specifically, claim 5 recites:

A method for preventing data entry via a data input screen on a client device, comprising:  
rendering source code that defines said data input screen in said client device;  
defining an executable script within said source code; and  
executing said executable script in response to user input, wherein said executable script operates within said client device to render said data input screen inaccessible to prevent subsequent user input;  
wherein executing further comprises:  
associating said executable script with a predetermined z-index number for a web page; and  
***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number.***

***(Emphasis added).***

Applicants respectfully submit that claim 5 is allowable for at least the reason that none of Brown, Barlow, and Wagner, taken alone or in combination, discloses, teaches, or suggests a “method for preventing data entry via a data input screen on a client device, comprising...

***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***” as recited in claim

5. More specifically, the Office Action admits that “Brown fails to disclose associating the executable script with a predetermined z-index number for a web page and rendering inaccessible those data entry elements associated with the web page that have a z-index change from the predetermined z-index number” (OA page 7, line 7).

Additionally, *Barlow* fails to overcome the deficiencies of *Brown*. More specifically, *Barlow* discloses “when the end user changes the state of the object 18 from the default state 30 by placing the cursor over the object 18 (step 834), then the object 18 traverses the list of subcomponents 820’ in the default object state list 804 and deactivates each of these subcomponents 820” (column 8, line 32). As illustrated in this passage, *Barlow* appears to disclose that a subcomponent can be disabled based placing a cursor over an object. Applicant respectfully submits that this is different than “**rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number**” as recited in claim 5.

Further, *Wagner* fails to overcome the deficiencies of *Brown* and *Barlow*. More specifically, while the Office Action argues:

Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one (column 13, lines 13-20). Although Wagner discloses disabling a command based upon a change to a higher z-index value, one of ordinary skill in the art would have recognized that in both Wagner, and the instant application, the focus is upon the change of the z-index from one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner.

(OA page 7, line 10).

Applicants respectfully disagree. First, *Wagner* fails to even suggest anything related to a z-index. As previously cited, column 13, line 13 of *Wagner* discloses a “seventh digit in the map data determines whether a FORM ‘submit’ script command will be provided to the application program... the digit value of one causes the scanner to disable the FORM ‘submit’ command so it may be displayed for the user by the application program without execution.” As illustrated in this passage, *Wagner* merely discloses “digits,” which are not necessarily indicative of a z-index. Further, a keyword search of the text of *Wagner* reveals that the letter “z” is not even present in *Wagner*. Consequently, *Wagner* cannot suggest “**rendering inaccessible**

***those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***" as recited in claim 5.

Second, the Office Action admits that *Wagner* fails to disclose "***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***" as recited in claim 5, but tries to argue that such a deficiency is part of a design choice. The Office Action, however provides no reasoning or extrinsic evidence to support such an accusation, thus failing to meet the requirements for a proper 35 U.S.C. §103 rejection. For at least these reasons, claim 5 is allowable.

**C. Claim 10 is Allowable Over *Brown* in view of *Barlow* further in view of *Wagner***

The Office Action indicates that claim 10 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Number 6,278,448 ("*Brown*") in view of U.S. Patent Number 6,275,935 ("*Barlow*"), further in view of U.S. Patent Number 6,085,224 ("*Wagner*"). Applicants respectfully traverse this rejection for at least the reason that *Brown* in view of *Barlow* further in view of *Wagner* fails to disclose, teach, or suggest all of the elements of claim 10. More specifically, claim 10 recites:

A computer-readable medium having computer-executable components comprising:

- a form definition component defining a data input screen and a data submission field;

- a style definition component defining a layer having a width and height at least as large as said data submission field;

- a function definition component responsive to said data submission field, wherein upon execution of said function definition component, said layer operates to render said data submission field inaccessible on said form;

wherein said computer-executable components are operable to perform the following:

- associating said executable script with a predetermined z-index number for a web page, and

- rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number.***

***(Emphasis added).***

Applicants respectfully submit that claim 10 is allowable for at least the reason that none of *Brown*, *Barlow*, and *Wagner*, taken alone or in combination, discloses, teaches, or suggests a “computer-readable medium having computer-executable components comprising... ***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***” as recited in claim 10. More specifically, the Office Action admits that “Brown fails to disclose associating the executable script with a predetermined z-index number for a web page and rendering inaccessible those data entry elements associated with the web page that have a z-index change from the predetermined z-index number” (OA page 7, line 7).

Additionally, *Barlow* fails to overcome the deficiencies of *Brown*. More specifically, *Barlow* discloses “when the end user changes the state of the object 18 from the default state 30 by placing the cursor over the object 18 (step 834), then the object 18 traverses the list of subcomponents 820’ in the default object state list 804 and deactivates each of these subcomponents 820” (column 8, line 32). As illustrated in this passage, *Barlow* appears to disclose that a subcomponent can be disabled based placing a cursor over an object. Applicant respectfully submits that this is different than “***rendering inaccessible those data entry***

**elements associated with said web page that have a z-index number lower than said predetermined z-index number”** as recited in claim 10.

Further, *Wagner* fails to overcome the deficiencies of *Brown* and *Barlow*. More specifically, while the Office Action argues:

Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one (column 13, lines 13-20). Although Wagner discloses disabling a command based upon a change to a higher z-index value, one of ordinary skill in the art would have recognized that in both Wagner, and the instant application, the focus is upon the change of the z-index from one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner.

(OA page 7, line 10).

Applicants respectfully disagree. First, *Wagner* fails to even suggest anything related to a z-index. As previously cited, column 13, line 13 of *Wagner* discloses a “seventh digit in the map data determines whether a FORM ‘submit’ script command will be provided to the application program... the digit value of one causes the scanner to disable the FORM ‘submit’ command so it may be displayed for the user by the application program without execution.” As illustrated in this passage, *Wagner* merely discloses “digits,” which are not necessarily indicative of a z-index. Further, a keyword search of the text of *Wagner* reveals that the letter “z” is not even present in *Wagner*. Consequently, *Wagner* cannot suggest “**rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number”** as recited in claim 10.

Second, the Office Action admits that *Wagner* fails to disclose “**rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number”** as recited in claim 10, but tries to argue that such a deficiency is part of a design choice. The Office Action, however provides no reasoning



or extrinsic evidence to support such an accusation, thus failing to meet the requirements for a proper 35 U.S.C. §103 rejection. For at least these reasons, claim 10 is allowable.

**D. Claim 15 is Allowable Over *Brown* in view of *Barlow* further in view of *Wagner***

The Office Action indicates that claim 15 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Number 6,278,448 ("*Brown*") in view of U.S. Patent Number 6,275,935 ("*Barlow*"), further in view of U.S. Patent Number 6,085,224 ("*Wagner*"). Applicants respectfully traverse this rejection for at least the reason that *Brown* in view of *Barlow* further in view of *Wagner* fails to disclose, teach, or suggest all of the elements of claim 15. More specifically, claim 15 recites:

A method for preventing data entry to a server computer from a client computer, comprising:  
receiving a request for an exchange of data from said client computer;  
defining an executable script within a source code, said executable script operating in response to a client computer input and rendering a data input screen inaccessible to prevent subsequent input from said client computer; and  
providing said source code that defines said data input screen;  
wherein defining further comprises:  
associating said executable script with a predetermined z-index number for a web page; and  
***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number.***

***(Emphasis added).***

Applicants respectfully submit that claim 15 is allowable for at least the reason that none of *Brown*, *Barlow*, and *Wagner*, taken alone or in combination, discloses, teaches, or suggests a "method for preventing data entry to a server computer from a client computer, comprising... ***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***" as recited in claim 15. More specifically, the Office Action admits that "*Brown* fails to disclose associating the

executable script with a predetermined z-index number for a web page and rendering inaccessible those data entry elements associated with the web page that have a z-index change from the predetermined z-index number” (OA page 7, line 7).

Additionally, *Barlow* fails to overcome the deficiencies of *Brown*. More specifically, *Barlow* discloses “when the end user changes the state of the object 18 from the default state 30 by placing the cursor over the object 18 (step 834), then the object 18 traverses the list of subcomponents 820’ in the default object state list 804 and deactivates each of these subcomponents 820” (column 8, line 32). As illustrated in this passage, *Barlow* appears to disclose that a subcomponent can be disabled based placing a cursor over an object. Applicant respectfully submits that this is different than “**rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number**” as recited in claim 15.

Further, *Wagner* fails to overcome the deficiencies of *Brown* and *Barlow*. More specifically, while the Office Action argues:

Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one (column 13, lines 13-20). Although Wagner discloses disabling a command based upon a change to a higher z-index value, one of ordinary skill in the art would have recognized that in both Wagner, and the instant application, the focus is upon the change of the z-index from one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner.

(OA page 7, line 10).

Applicants respectfully disagree. First, *Wagner* fails to even suggest anything related to a z-index. As previously cited, column 13, line 13 of *Wagner* discloses a “seventh digit in the map data determines whether a FORM ‘submit’ script command will be provided to the application program... the digit value of one causes the scanner to disable the FORM ‘submit’ command so it may be displayed for the user by the application program without execution.” As

illustrated in this passage, *Wagner* merely discloses “digits,” which are not necessarily indicative of a z-index. Further, a keyword search of the text of *Wagner* reveals that the letter “z” is not even present in *Wagner*. Consequently, *Wagner* cannot suggest “***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***” as recited in claim 15.

Second, the Office Action admits that *Wagner* fails to disclose “***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***” as recited in claim 15, but tries to argue that such a deficiency is part of a design choice. The Office Action, however provides no reasoning or extrinsic evidence to support such an accusation, thus failing to meet the requirements for a proper 35 U.S.C. §103 rejection. For at least these reasons, claim 15 is allowable.

**E. Claim 24 is Allowable Over *Brown* in view of *Barlow* further in view of *Wagner***

The Office Action indicates that claim 24 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Number 6,278,448 (“*Brown*”) in view of U.S. Patent Number 6,275,935 (“*Barlow*”), further in view of U.S. Patent Number 6,085,224 (“*Wagner*”). Applicants respectfully traverse this rejection for at least the reason that *Brown* in view of *Barlow* further in view of *Wagner* fails to disclose, teach, or suggest all of the elements of claim 24. More specifically, claim 24 recites:

A method for preventing data entry to a web page comprising:

- associating an executable script with said web page;
- determining if said web page used z-index numbers;
- permitting a first data input to said web page;
- executing, in response to said first data input, said executable script; and

preventing data entry to at least a portion of said web page after execution of said script, wherein preventing further comprises:

- associating said executable script with a predetermined z-index number for said web page if said web page supports using said z-index number;

- associating said executable script with a division of said web page if said web page does not support using said z-index number;

- rendering inaccessible those data entry elements associated with said web page by rendering said division of said web page visible over said data entry elements if said web page does not support using said z-index number; and

- rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number if said web page supports using said z-index number.***

***(Emphasis added).***

Applicants respectfully submit that claim 24 is allowable for at least the reason that none of *Brown*, *Barlow*, and *Wagner*, taken alone or in combination, discloses, teaches, or suggests a "method for preventing data entry to a web page comprising... ***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number if said web page supports using said z-index number***" as recited in claim 24. More specifically, the Office Action admits that "Brown fails to disclose associating the executable script with a predetermined z-index number for a web page and rendering inaccessible those data entry elements associated with the web page that have a z-index change from the predetermined z-index number" (OA page 7, line 7).

Additionally, *Barlow* fails to overcome the deficiencies of *Brown*. More specifically, *Barlow* discloses "when the end user changes the state of the object 18 from the default state 30 by placing the cursor over the object 18 (step 834), then the object 18 traverses the list of subcomponents 820' in the default object state list 804 and deactivates each of these

subcomponents 820" (column 8, line 32). As illustrated in this passage, *Barlow* appears to disclose that a subcomponent can be disabled based placing a cursor over an object. Applicant respectfully submits that this is different than **"rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number if said web page supports using said z-index number"** as recited in claim 24.

Further, *Wagner* fails to overcome the deficiencies of *Brown* and *Barlow*. More specifically, while the Office Action argues:

Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one (column 13, lines 13-20). Although Wagner discloses disabling a command based upon a change to a higher z-index value, one of ordinary skill in the art would have recognized that in both Wagner, and the instant application, the focus is upon the change of the z-index from one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner.

(OA page 7, line 10).

Applicants respectfully disagree. First, *Wagner* fails to even suggest anything related to a z-index. As previously cited, column 13, line 13 of *Wagner* discloses a "seventh digit in the map data determines whether a FORM 'submit' script command will be provided to the application program... the digit value of one causes the scanner to disable the FORM 'submit' command so it may be displayed for the user by the application program without execution." As illustrated in this passage, *Wagner* merely discloses "digits," which are not necessarily indicative of a z-index. Further, a keyword search of the text of *Wagner* reveals that the letter "z" is not even present in *Wagner*. Consequently, *Wagner* cannot suggest **"rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number if said web page supports using said z-index number"** as recited in claim 24.

Second, the Office Action admits that *Wagner* fails to disclose “**rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number if said web page supports using said z-index number**” as recited in claim 24, but tries to argue that such a deficiency is part of a design choice. The Office Action, however provides no reasoning or extrinsic evidence to support such an accusation, thus failing to meet the requirements for a proper 35 U.S.C. §103 rejection. For at least these reasons, claim 24 is allowable.

**F. Claims 2 – 4, 6 – 9, 11 – 14, and 16 – 18 are Allowable Over *Brown* in view of *Barlow* further in view of *Wagner***

The Office Action indicates that claim 2 – 4, 6 – 9, 11 – 14, and 16 – 18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Number 6,278,448 (“*Brown*”) in view of U.S. Patent Number 6,275,935 (“*Barlow*”), further in view of U.S. Patent Number 6,085,224 (“*Wagner*”). Applicants respectfully traverse this rejection for at least the reason that *Brown* in view of *Barlow* further in view of *Wagner* fails to disclose, teach, or suggest all of the elements of claim 24. More specifically, dependent claims 2 – 4 are believed to be allowable for at least the reason that these claims depend from and include the elements of allowable independent claim 1. Dependent claims 6 – 9 are believed to be allowable for at least the reason that they depend from and include the elements of allowable independent claim 5. Dependent claims 11 – 14 are believed to be allowable for at least the reason that they depend from and include the elements of allowable independent claim 10. Dependent claims 16 – 18 are believed to be allowable for at least the reason that they depend from and include the elements of allowable independent claim 24. *In re Fine, Minnesota Mining and Mfg. Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002).

## II. Rejections Under 35 U.S.C. §103(a) – *Moneymaker* and *Wagner*

The Office Action indicates that claim 18 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Application Publication Number 2002/0049708 ("*Moneymaker*") in view of U.S. Patent Number 6,085,224 ("*Wagner*"). Applicants respectfully traverse this rejection for at least the reason that *Moneymaker* in view of *Wagner* fails to disclose, teach, or suggest all of the elements of claim 18. More specifically, claim 18 recites:

A method for preventing data entry to a web page comprising:

associating an executable script with said web page;

permitting a first data input to said web page;

executing, in response to said first data input, said executable script; and

preventing data entry to at least a portion of said web page after execution of said script, wherein preventing further comprises:

associating said executable script with a predetermined z-index number for said web page; and

***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number.***

***(Emphasis added).***

Applicants respectfully submit that claim 18 is allowable for at least the reason that none of *Brown*, *Barlow*, and *Wagner*, taken alone or in combination, discloses, teaches, or suggests a "method for preventing data entry to a web page comprising... ***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***" as recited in claim 18. More specifically, *Moneymaker* discloses "providing a static interface environment which allows items and/or information to be presented to a client/user via a single emanation of a graphical interface environment, such as a 'window' or 'web page'" (page 1, paragraph [0008]). However, *Moneymaker* fails to even suggest "***rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number***" as recited in claim 18.

Additionally, *Wagner* fails to overcome the deficiencies of *Moneymaker*. More specifically, while the Office Action argues:

Wagner discloses use of a z-index number allowing for submission of form data if the z-index value is zero, while the data entry elements, such as a submit button are rendered inaccessible if the z-index value is one (column 13, lines 13-20). Although Wagner discloses disabling a command based upon a change to a higher z-index value, one of ordinary skill in the art would have recognized that in both Wagner, and the instant application, the focus is upon the change of the z-index from one value to a second different value. Similarly, the change from a higher value to a lower value as opposed to a change from a lower value to a higher value is a design choice that does not alter the teaching of Wagner.

(OA page 7, line 10).

Applicants respectfully disagree. First, *Wagner* fails to even suggest anything related to a z-index. As previously cited, column 13, line 13 of *Wagner* discloses a "seventh digit in the map data determines whether a FORM 'submit' script command will be provided to the application program... the digit value of one causes the scanner to disable the FORM 'submit' command so it may be displayed for the user by the application program without execution." As illustrated in this passage, *Wagner* merely discloses "digits," which are not necessarily indicative of a z-index. Further, a keyword search of the text of *Wagner* reveals that the letter "z" is not even present in *Wagner*. Consequently, *Wagner* cannot suggest **"rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number"** as recited in claim 18.

Second, the Office Action admits that *Wagner* fails to disclose **"rendering inaccessible those data entry elements associated with said web page that have a z-index number lower than said predetermined z-index number"** as recited in claim 18, but tries to argue that such a deficiency is part of a design choice. The Office Action, however provides no reasoning or extrinsic evidence to support such an accusation, thus failing to meet the requirements for a proper 35 U.S.C. §103 rejection. For at least these reasons, claim 18 is allowable.



**III. Additional Comments**

Additionally, Applicants note that attempts were made to schedule an examiner interview to expedite prosecution of the present application. While these attempts were unsuccessful, Applicants respectfully request Examiner Stork contact Applicants' attorney if any subsequent Office Action is to be issued.

### **CONCLUSION**

For at least the reasons set forth above, all objections and/or rejections have been traversed, rendered moot, and/or addressed, and that the now pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested.

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and Official Notice, or statements interpreted similarly, should not be considered well-known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

/afb/

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